

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:99CV268**

**STEVE E. ASHE, and wife DEBORAH )**  
**ANN SCOTT ASHE, *et al.*, )**

**This document pertains to: )**  
**STEVE E. ASHE, and wife DEBORAH )**  
**ANN SCOTT ASHE; HOMER R. )**  
**BLYTHE, and wife ANN ENGLISH )**  
**BLYTHE; BEN BOLT, and wife )**  
**FLORA MAE McCALL BOLT; )**  
**SHIRLEY EUGENE BRACKEN, and )**  
**wife ANNIE JO SHERRIL BRACKEN; )**  
**FRED C. BRYSON, and wife MARY B. )**  
**BRYSON; ALLEN E. CHAPMAN, and )**  
**wife SANDRA FISHER CHAPMAN; )**  
**JOHN C. CHAPMAN, and wife IVA )**  
**LEE ANDERS CHAPMAN; DAVID H. )**  
**CORN, and wife PHYLLIS BOWEN )**  
**CORN; ROBERT H. CROWE, and wife )**  
**MARIAN CROWE; DANNY L. )**  
**DUCKWORTH; JOHN D. EZELL, and )**  
**wife AILEEN RODGERS EZELL; )**  
**EDNA MAE FEWELL; )**  
**WILLIAM M. GADDY, SR., )**  
**and wife MYRTLE N. GADDY; )**  
**CLYDE C. GALLOWAY, and wife )**  
**BELLE T. GALLOWAY; JAMES C. )**  
**GOFORTH, and wife THELMA W. )**  
**GOFORTH; CLAUDE S. GOODSON, )**  
**and wife DARLENE GOODSON; )**  
**ROBERT P. GRANT, and wife DORIS )**  
**PATTERSON GRANT; WILLIAM H. )**  
**HALL, JR., and wife WANDA D. HALL; )**  
**WILLIE E. HARRON; THOMAS B. )**  
**HEATON, and wife ELLA MAE P. )**  
**HEATON; RICHARD L. HISSA, and )**  
**wife PRISCILLA B. HISSA; MARILYN )**  
**S. JARRETT, Individually and as )**  
**Executrix of the Estate of Douglas L. )**

Jarrett, Deceased; MAGGIE C. )  
KRIDER, Individually and as Personal )  
Representative of the Estate of )  
Thomas Krider, Deceased; JAMES T. )  
MAHONEY, JR., and wife BRENDA )  
FAYE J. MAHONEY; JAMES D. )  
McCALL; RUFUS S. McCALL, and wife )  
MARGARET PAULINE R. McCALL; )  
SHERRELL P. McCRARY, and wife )  
VELMA EARLENE McCRARY; )  
WILLIAM P. McKELVEY; BETTY N. )  
MICHAEL, Individually and as )  
Executrix of the Estate of John A. )  
Michael, Deceased; BENNY L. )  
MOONEY, and wife MILDRED RUTH )  
H. MOONEY; PEGGY LOFLIN, as )  
Administrator of the Estate of James )  
H. Morris, Deceased; GEORGE H. )  
NEWMAN, and wife VIRGINIA H. )  
NEWMAN; CARROLL F. OWEN, and )  
wife CYNTHIA SPIVEY OWEN; )  
MARY M. OWEN; PHILLIP E. OWENS,) )  
and wife DOROTHY LORENA W. )  
OWENS; ROSCOE H. PONDER, and )  
wife GRACE JULIE R. PONDER; )  
JOE B. ROGERS, and wife JUNE )  
ROGERS; REMUS L. ROPER, and wife )  
SHIRLEY ROPER; PAUL D. SEAGLE, )  
and wife LINDA M. SEAGLE; )  
DOUGLAS G. SENTELLE, and wife )  
CINDY SENTELLE; CHARLES N. )  
SHOOK, as Executor of the Estate of )  
Vance F. Shook, Deceased; BRONITH )  
SHOOK, as Administrator of the )  
Estate of Vance Randall Shook; )  
ETHEL IRENE J. SITTON, Individually )  
and as Executrix of the Estate of Ed J. )  
Sitton, Deceased; NETTIE L. SITTON; )  
BRUCE D. SMITH, and wife DELORES )  
H. SMITH; ROBERT A. SMITH, and )  
wife MARGORIE L. SMITH; )  
BRADLEY H. SNIPES, and wife )  
ELEANOR E. SNIPES; RUTH G. )  
SUMMEY, Individually and as )  
Executrix of the Estate of Clyde C. )

Summey, Deceased; JUANITA W. )  
WATSON; CHARLES E. WHITEMIRE, )  
and wife BOBBIE JEAN WHITEMIRE; )  
ALBERT W. WILLIAMS, and wife )  
CAROLYN WILLIAMS; and THOMAS )  
J. WOODS, and wife ALICIA JEAN )  
WOODS, )  
 )  
Plaintiffs, )  
 )  
Vs. )  
 )  
A. W. CHESTERTON, INC., *et al.*, )  
 )  
Defendants. )  
\_\_\_\_\_ )

**ORDER OF DISMISSAL**

**THIS MATTER** is before the Court on the consent of the captioned Plaintiffs and Defendant National Service Industries, Inc., (formerly known as North Brothers Company), to dismiss their claims without prejudice against said Defendant.

It appearing that all parties have consented to the relief requested herein,

**IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED** that the claims of each of the captioned Plaintiffs against Defendant National Service Industries, Inc., are hereby **DISMISSED WITHOUT PREJUDICE**, and this action may be terminated as to said Defendant..

Signed: November 5, 2007



Lacy H. Thornburg  
United States District Judge



WE MOVE:

s/ James D. Gandy, III  
James D. Gandy, III

Pierce, Hems, Sloan & McLeod, LLC  
321 East Bay Street  
Charleston, SC 29413

Attorney for Defendant  
National Service Industries, Inc.

WE CONSENT:

s/ Janet Ward Black  
Janet Ward Black, Esquire,  
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Attorneys for Plaintiffs